

Message Text

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PAGE 01 STATE 020548
ORIGIN COME-00

INFO OCT-01 CIAE-00 DODE-00 EB-08 NSAE-00 USIA-06 TRSE-00
EA-07 ERDA-05 ISO-00 /027 R

DRAFTED BY OEA/CD:GABAUER/LWH
APPROVED BY EB/ITP/EWT/AREICHENBACH
COMMERCE/OEA - CBCLEMENTS

-----291912Z 108646 /46

R 290113Z JAN 77
FM SECSTATE WASHDC
TO AMCONSUL MELBOURNE
AMEMBASSY CANBERRA

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EXCON

E.O. 11652:N/A

TAGS:ESTC, PINR, AS

SUBJECT:AUSTCAN IUSTRIES, SUITE 21, 562 ST. KILDA RD.,
MELBOURNE AND/OR 4 MAGNOLIA ST., WANTIRNA, VICTORIA;
BRIAN K. MACPHERSON, MANAGING DIRECTOR.

REF: COMPLIANCE DIVISION, OEA, INVESTIGATIVE CASE 11(77)-2.

1. SUBJECT FIRM USING RURAL DELIVERY BOX NUMBER IN FRENCH
TOWN, NEW JERSEY SUBMITTED THREE EXPORT LICENSE APPLICAT-
IONS EACH SIGNED BY SUBJECT MACPHERSON. ONE APPLICATION
INDICATED SUBJECT MELBOURNE FIRM AS ULTIMATE CONSIGNEE;
CONSIGNEE/PURCHASER STATEMENT ALSO SIGNED ON 11/20/76 BY
MACPHERSON AS ULTIMATE CONSIGNEE AND STATES COMMODITIES TO
BE INCORPORATED INTO COMMERCIAL COMPUTER SYSTEMS FOR
DISTRIBUTION IN AUSTRALIA. APPLICATION IS FOR DIGITAL
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PAGE 02 STATE 020548

COMPUTERS, PERIPHERALS AND ACCESSORIES, VALUE 200,000.
DOLLARS.

2. SECOND APPLICATION FOR SIMILAR COMMODITIES, VALUE
100,000. DOLLARS ULTIMATE CONSIGNEE C.S.S. DESIGN P/L,
ADDRESS SAME AS SUBJECT MELBOURNE FIRM. CONSIGNEE/
PURCHASER STATEMENT INDICATES FOR RESALE AND CONSUMPTION

IN AUSTRALIA AND WAS SIGNED, ON 5/13/76 BY J. FARREL,

MANAGING DIRECTOR OF C.S.S. DESIGN AND MACPHERSON'S
NAME TYPED AS PURCHASER, DATED 5/18/76.

3. THIRD APPLICATION SIMILAR COMMODITIES, VALUE 500,000.
DOLLARS ULTIMATE CONSIGNEE COMPUTER MANUFACTURE AND
DESIGN P/L (C.M.A.D.), 181 WELLS ST., SOUTH MELBOURNE.
CONSIGNEE/PURCHASER STATEMENT SIGNED ON 11/22/76 BY
C.E. AMY, COMPANY SECRETARY FOR C.M.A.D. THE CONSIGNEE/
PURCHASER STATEMENTS ON ALL APPLICATIONS WERE SIGNED ON
6/7/76 BY MCPHERSON AS PERSON AUTHORIZED TO CERTIFY FOR
EXPORTER.

4. THE THREE ABOVE LICENSE APPLICATIONS ORIGINALLY
SUBMITTED TO OEA EARLY OCTOBER 1976 AND RETURNED TO
APPLICANT 11/4/76 FOR ADDITIONAL INFORMATION; RESUBMITTED
12/1/76 WITH INSUFFICIENT REQUESTED INFORMATION AND
REFERRED FOR INVESTIGATION FOR FOLLOWING REASON:

(A) OEA LICENSING OFFICIAL IN ORDER TO OBTAIN ADDITIONAL
TECHNICAL DATA RE COMMODITIES LISTED ON THE THREE
LICENSE APPLICATIONS CALLED AUSTCAN, FRENCH TOWN, N.J.
NUMBER ON 11/4/76, WHICH WAS LISTED ON APPLICATIONS AND
ASKED TO SPEAK WITH MACPHERSON. A WOMAN (UNIDENTIFIED)
TOLD THE LICENSING OFFICER THAT MACPHERSON WAS IN
AUSTRALIA BUT THAT SANDRA MILLER HAD PREPARED THE
APPLICATIONS AND HANDLED HIS WORK. MILLER WAS AN
EASTERN AIRLINE STEWARDESS CURRENTLY ON A FLIGHT BUT WOULD
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PAGE 03 STATE 020548

RETURN THE FOLLOWING MORNING. THE APPLICATIONS WERE
RETURNED TO APPLICANT ON 11/4/76.

(B) AFTER RESUBMISSION ON 12/1/76 THE LICENSING OFFICER
AGAIN TELEPHONED AUSTCAN, ON 1/6/77, AND WAS TOLD BY
THE SAME WOMAN THAT SANDRA MILLER HAD BEEN MURDERED
ON 1/3/77.

5. IT WAS APPARENT FROM REVIEW OF THE APPLICATIONS THAT
THE PERSON WHO PREPARED THEM WAS NOT FAMILIAR WITH
COMPUTER EQUIPMENT. ALSO, LACK OF SPECIFICITY REGARDS
MAKES, MODELS ETC. WOULD INDICATE NO FIRM ORDERS FOR ANY
EQUIPMENT HAD BEEN PLACED. HOWEVER, AUSTCAN, NEW JERSEY
IN APRIL/MAY 1975 HAD APPLIED FOR AND RECEIVED TWO EXPORT
LICENSES FOR TWO DIGITAL COMPUTERS AND SOFTWARE AND
SPARE PARTS, VALUE APPROXIMATELY 43,000. DOLLARS IN BOTH
CASES THE ULTIMATE CONSIGNEE WAS AUSTCAN, 4 MAGNOLIA ST.,
WANTIRNA, VICTORIA; THE APPLICATIONS HAD BEEN SIGNED BY
SANDRA J. MCCARTY (THE MURDERED GIRL'S MAIDEN NAME)

AND ONE CONSIGNEE/PURCHASER STATEMENT SIGNED THREE TIMES
BY MACPHERSON AS ULTIMATE CONSIGNEE PURCHASER AND

CERTIFYING EXPORTER. THE OTHER ONE WAS SIGNED IN 3 PLACES
BY SANDRA MCCARTY.

6. IT IS OBVIOUS FROM THE FOREGOING THAT IT IS UNCLEAR
WHO, WHAT AND WHERE AUSTCAN IS AND WHETHER THE ACTUAL
INTENDED END-USE OF THE EQUIPMENT LISTED ON THE PENDING
THREE APPLICATIONS IS LEGITIMATE. THE ONGOING KIDNAPING,
RAPE AND MURDER INVESTIGATION BEING CONDUCTED BY NEW
JERSEY AND PENNSYLVANIA POLICE HAS AS YET NOT DEVELOPED
ANY INFORMATION WHICH WOULD EXPLAIN SANDRA MILLER'S
PERSONAL OR BUSINESS RELATIONSHIP WITH MACPHERSON.

7. AS EXAMINATION OF WHAT SO FAR HAS BEEN LOCATED OF
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PAGE 04 STATE 020548

HER CORRESPONDENCE INDICATED THAT MACPHERSON APPARENTLY
HAS VISITED THE U.S. EVERY THREE OR FOUR MONTHS. IT
APPEARS THAT HE ALSO HAS OR HAD AN ADDRESS IN FLEMINGTON,
NEW JERSEY (NOTE: THE TWO 1975 APPLICATIONS SIGNED
BY SANDRA MCCARTY GAVE AUSTCAN'S ADDRESS AS A RURAL
DELIVERY BOX IN FLEMINGTON). THE NEW JERSEY POLICE HAVE
NOT YET FOLLOWED THAT LEAD.

8. ONE UNDATED LETTER IN MILLER'S PAPERS, WRITTEN TO
HER BY MACPHERSON, MADE REFERENCE TO U.S. EXPORT
RESTRICTIONS ON COMPUTER EQUIPMENT SALES TO THE USSR AND
PRC. MACPHERSON WROTE THAT AS A RESULT SUCH RESTRICTIONS
HE WOULD OFFER AUSTRALIAN COMPUTERS TO THOSE COUNTRIES.
IT IS NOTEWORTHY THAT ACCORDING TO A COMMERCE DEPT.
PREPARED MARKET RESEARCH REPORT AUSTRALIA DOES NOT
HAVE A COMPUTER MANUFACTURING INDUSTRY WHICH WOULD LEND
ITSELF TO EXPORTING THE TYPE OF COMPUTERS BEING SOUGHT
BY THE USSR OR THE PRC.

9. THE THREE PENDING APPLICATIONS, TOTAL VALUE 800,000.
DOLLARS, COVER STRATEGIC RATED COMMODITIES. IT IS NOT
POLICY OF OEA TO DELAY UNNECESSARILY ISSUANCE OF EXPORT
LICENSES. HOWEVER, OEA'S COMPLIANCE DIVISION BELIEVES
QUESTIONABLE ASPECTS OF PROPOSED TRANSACTIONS WARRANT
FURTHER INQUIRIES IN U.S. AND AUSTRALIA TO DETERMINE
WHETHER U.S. EQUIPMENT INVOLVED IS ULTIMATELY DESTINED,
EITHER IN FORM RECEIVED OR INCORPORATED IN FINISHED
PRODUCTS, FOR PROSCRIBED AREAS OR IS TO REMAIN IN
AUSTRALIA.

10. THE CONGEN AND/OR EMBASSY IS REQUESTED TO OBTAIN

PERSONAL BACKGROUND, FINANCIAL AND COMMERCIAL ACTIVITIES
DATA ON MACPHERSON AND ON ANY OTHER INDIVIDUALS OR FIRMS

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PAGE 05 STATE 020548

ASSOCIATED WITH HIS ACTIVITIES. VIEW HIS REPUTED VISITS
TO U.S. THE EMBASSY OR CONGEN VISA OFFICES MUST HAVE
PERTINENT DATA. IT IS SUGGESTED THAT IN CONDUCTING

INVESTIGATION POSTS UTILIZE ALL AVAILABLE SOURCES OF
INFORMATION. INITIAL INVESTIGATIVE FINDINGS BY POST(S)
SHOULD HELP DETERMINE WHETHER ADVISABLE TO CONTACT
MACPHERSON AT THIS TIME.

11. ANY ADDITIONAL RELEVANT INFORMATION OBTAINED BY OEA/
CD'S CONTINUING INVESTIGATION WILL BE FURNISHED POSTS.
VANCE

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NNN

Message Attributes

Automatic Decaptioning: X
Capture Date: 01-Jan-1994 12:00:00 am
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: STRATEGIC TRADE CONTROLS, EXPORT LICENSES, COMPUTERS
Control Number: n/a
Copy: SINGLE
Sent Date: 29-Jan-1977 12:00:00 am
Decaption Date: 01-Jan-1960 12:00:00 am
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 22 May 2009
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1977STATE020548
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Document Unique ID: 00
Drafter: GABAUER/LWH
Enclosure: n/a
Executive Order: N/A
Errors: N/A
Expiration:
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Format: TEL
From: STATE
Handling Restrictions: n/a
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Original Classification: LIMITED OFFICIAL USE
Original Handling Restrictions: n/a
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Original Previous Handling Restrictions: n/a
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Previous Classification: LIMITED OFFICIAL USE
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Review Action: RELEASED, APPROVED
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Review Media Identifier:
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
SAS ID: 3592700
Secure: OPEN
Status: NATIVE
Subject: AUSTCAN IUSTRIES, SUITE 21, 562 ST. KILDA RD., MELBOURNE AND/OR 4 MAGNOLIA ST., WANTIRNA, VICTORIA; BRIAN K. MACPHERSON, MANAGING DIRECTOR.
TAGS: ESTC, PINR, AS, ASTCAN IUSTRIES
To: MELBOURNE CANBERRA
Type: TE
vdkgvwkey: odb://SAS/SAS.dbo.SAS_Docs/422f71d9-c288-dd11-92da-001cc4696bcc
Review Markings:
Margaret P. Grafeld
Declassified/Released
US Department of State
EO Systematic Review
22 May 2009
Markings: Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 22 May 2009